

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

UNITED STATES OF AMERICA                    )  
  )  
v.    )           CR. NO. 1:07cr29-MEF  
  )  
JOHNNY WAYNE CLARK                        )

MOTION TO STRIKE FORFEITURE ALLEGATION

Comes now the United States of America, by and through Leura G. Canary, United States Attorney, Middle District of Alabama, and John T. Harmon, Assistant United States Attorney, and hereby moves this Court to strike the forfeiture allegation in the indictment returned February 22, 2007.

A proposed Order is filed herewith.

Respectfully submitted this 26<sup>th</sup> day of June, 2007.

FOR THE UNITED STATES ATTORNEY  
LEURA G. CANARY

/s/John T. Harmon  
John T. Harmon  
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CERTIFICATE OF SERVICE

I hereby certify that on June 26, 2007, I electronically filed the foregoing Motion to Strike with the Clerk of the Court using the CM/ECF system which will send notification of such filing to Russell T. Duraski and A. Clark Morris.

/s/John T. Harmon

John T. Harmon

Assistant United States Attorney

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O R D E R

Upon consideration of the Motion to Strike heretofore filed in the above-styled cause, and for good cause shown, the Court is of the opinion that the Motion should be and the same is hereby GRANTED. It is, therefore, **ORDERED, ADJUDGED and DECREED** by the Court that the forfeiture allegation is hereby stricken.

DONE this \_\_\_\_ day of \_\_\_\_\_, 2007.

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UNITED STATES DISTRICT JUDGE